

SLR:LDM:CSK
F.#2014R00501

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
- - - - - X

UNITED STATES OF AMERICA,

-v-

STIPULATION AND
WAIVER OF JURY TRIAL

MARTIN SHKRELI,

Cr. No. 15-637 (S-1) (KAM)

Defendant.

- - - - - X

Pursuant to Rules 23(a) and 32.2(b)(5)(A) of the Federal Rules of Criminal Procedure, the United States of America (the "Government") and the defendant, MARTIN SHKRELI (the "Defendant"), hereby agree to the following:

1. The Defendant voluntarily, freely and without any mental reservations waives any and all rights he may have under the laws of the United States or of the Constitution of the United States to a jury trial on the Criminal Forfeiture Allegation charged in the Superseding Indictment, CR 15-637 (S-1), against him (the "Superseding Indictment").

2. The Government and the Defendant agree that following the guilt phase of the criminal trial, and only after the Defendant's conviction of any of the charges in the Superseding Indictment, the forfeitability of any assets of the convicted Defendant shall be determined by the United States District Judge.

3. This waiver is binding on the Defendant, and the Defendant will not raise any defenses, file an appeal, or otherwise challenge any conviction, sentence, or forfeiture imposed by the Court as concerning any right that he may have to a jury trial on the Criminal Forfeiture Allegation charged in the Superseding Indictment.

4. No promises, agreements, or conditions have been entered into by the parties concerning any right the Defendant may have to a jury on the Criminal Forfeiture Allegation other than those set forth in this agreement and none will be entered into unless memorialized in writing and signed by all parties hereto.

5. To become effective, this waiver must be signed by all signatories listed below and approved by the Court.


Dated: Brooklyn, New York

~~April~~ 26, 2017
July

Respectfully submitted,

BRIDGET M. ROHDE
Acting United States Attorney
Eastern District of New York


By:


JACOBELYN M. KASULIS
ALIXANDRA E. SMITH
G. KARTHIK SRINIVASAN
CLAIRE S. KEDESHIAN
Assistant U.S. Attorneys

AGREED AND CONSENTED TO:


DEFENDANT, MARTIN SHKRELI

APPROVED BY:

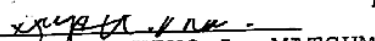

BENJAMIN BRAFMAN, Esq.
MARC AGNIFILO, Esq.
ANDREA ZELLAN, Esq.
Counsel to Defendant, Martin Shkreli

SO ORDERED AND APPROVED:

Brooklyn, New York

~~April~~ 26 2017

July


THE HONORABLE KIYO A. MATSUMOTO
United States District Judge
Eastern District of New York